

The opinion in support of the decision being entered today was not written for publication and is not binding precedent of the Board.

UNITED STATES PATENT AND TRADEMARK OFFICE

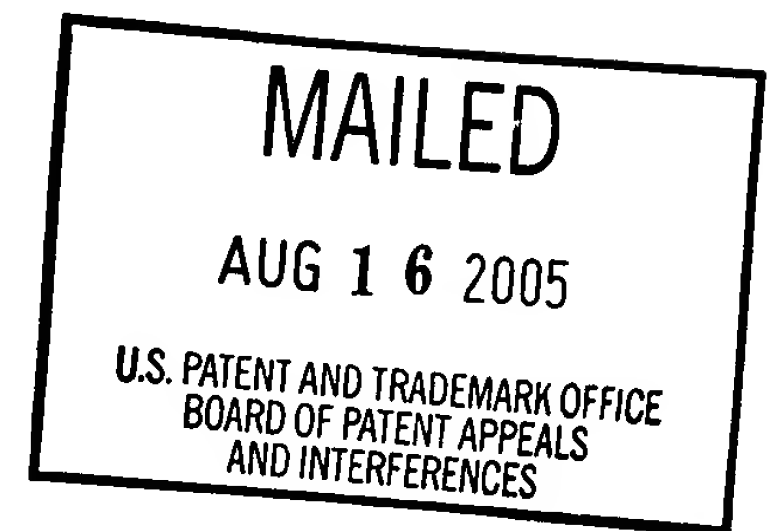
BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

Ex parte JOSEPH R. BYRUM,  
THOMAS J. LA ROSA, and GREGORY R. HECK

Appeal No. 2005-2364  
Application No. 09/960,481

ON BRIEF

REQUEST FOR SUSPENSION OF APPEAL



Before FLEMING, Chief Administrative Patent Judge.

The Board is in receipt of appellants' request to suspend the appeal in this case pending the decision in In re Fisher, (Application No. 09/619,643, BPAI Appeal No. 2002-2046), pending before the Court of Appeals for the Federal Circuit. In considering the matter, it appears that a decision in the Fisher case will aid in the resolution of the issues pending in this appeal. Accordingly, the request is granted to the extent that the Board will postpone consideration of the appeal in this case pending a decision in In re Fisher. See, MPEP § 1213, at 1200-31 (8<sup>th</sup> ed., Rev. 2, May 2004).

So ordered.

  
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Michael R. Fleming  
Chief Administrative Patent Judge

Appeal No. 2005-2364  
Application 09/960,481

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